

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:05CR116
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
CLINTON BROOKS, JR.,)	
)	
Defendant.)	

This matter is before the Court following the filing of the Defendant's notice of appeal (Filing No. 266).

The Defendant seeks to appeal from "the order denying his 2255 motion." (Filing No. 266.) However, the Court has not yet ruled on the Defendant's motion to vacate his sentence filed pursuant to 28 U.S.C. § 2255. Therefore, the notice of appeal is dismissed as premature.

IT IS ORDERED that the Defendant's notice of appeal (Filing No. 266) is dismissed as premature.

DATED this 12th day of June, 2007.

BY THE COURT:

S/ Laurie Smith Camp
United States District Judge